

## **REMARKS**

The objection to claim 16 concerning the typographical error of the word “service” has been corrected by changing that word to “server”.

Claims 16-20 are rejected under 35 U.S.C. §103 as unpatentable over Yacoub in view of Dirst.

Claim 16 distinguishes over Yacoub at least by reciting that if the server cannot perform the service, using the transmitted executable datafile, either the server or the client switches the client to a further server capable of executing the service. Yacoub only switches print jobs from a client to another printer, not a further server – see Yacoub paragraphs 0023 and 0024.

Claim 16 further distinguishes by reciting that the at least one data file on the server is executable in the server and in the client. However, Yacoub switches print jobs to another printer and thus the data file being executed is a print file by the another printer and not a datafile executable in said server.

Finally, claim 16 distinguishes by reciting that if the server cannot perform the service, that the transmitted executable data file is used by the server or the client for switching the client to a further server. Yacoub does not use an executable data file to switch a print job from one printer to another printer.

With the invention of claim 16, there is the advantage that the client is switched to a further server rather than switching of the print file to a different printer as in Yacoub.

As to the secondary Dirst reference cited, that reference was only cited for a user making a file request via the Internet, the target server fetching or generating the requested file, and the file being transmitted to the client computer and displayed on the browser. However, that disclosure does not satisfy the above noted


deficiencies of Yacoub, particularly it does not meet the claim 16 language that if the server cannot perform the service, using the transmitted executable data file, either the server or the client switches the client to a further server capable of executing the service.

Dependent claim 17-20 distinguish at least for the reasons noted with respect to claim 16 and also by reciting additional features not suggested.

Applicant respectfully requests that a telephone interview with the Examiner using this Amendment as a basis for discussion to promote and expedite prosecution of this application.

Allowance of the case is respectfully requested.

Respectfully submitted,

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